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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/040,539	03/17/98	YOSHIDA	A JA997028

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LM01/0523

EXAMINER

HUYNH, B

ART UNIT

PAPER NUMBER

2773

DATE MAILED:

05/23/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/040,539

Applicant(s)

Yoshida

Examiner

Huynh-Ba

Group Art Unit

2773



☒ Responsive to communication(s) filed on Apr 6, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle* 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-9 is/are pending in the applicat

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-9 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

BA HUYNH
PRIMARY EXAMINER

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

1. The amendments filed on 4/6/00 have been entered into the record. Claims 1-9 are pending in the application.

Claim Rejections - 35 USC § 112

2. Claims 1-9 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The ground of rejection continues to be as set forth in paragraph 2 of the previous Office action. New claims 8, 9 are rejected as being dependents of claim 1.

3. Claims 8-9 are further rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification fails to provide a detailed description of the movement of the indicating frame in all directions and not limited to lateral movement in a plane as now claimed in claim 8. The portion of the specification (page 16, lines 10-13) which the applicant relies on does not disclose the claimed limitation. The specification also fails to provide a detailed description of the size of the indicating frame. In figure 2, indicating frame 80 appears wider than the width of page 12.

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Claim Rejections - 35 USC § 102

4. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent #5,945,998 (Eick).

- As for claim 1-7: The ground of rejection continues to be as set forth in paragraph 6 in the last Office action.

- As for claim 8: The indicating frame is not limited to lateral movement from col. 205(1) to col. 206. See figure 2.

Claim Rejections - 35 USC § 103

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Eick.

- As for claim 9: Eick fails to clearly teach that the width of the indicating frame 504 is less than the width of the column. However, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to implement the indicating frame narrower than the width of column. The implementation would have been an obvious design choice since the applicant has not disclose why such implementation is necessary.

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Response to Arguments

6. Applicant's arguments filed on 4/6/00 have been fully considered but they are not persuasive.

REMARKS:

112-1st rejection: Claims 1-7 recite a main screen image window for “moving... said display area within said main screen”. The specification, specifically on page 18, line 21 through page 19, line 10 as pointed out by the applicant, fails to enable describe the claimed limitation “moving ... *display area* within said main screen”. The cited portion appears to disclose the dragging of the view frame 60 within the sub-screen 51 and notifies the movement to the main screen. Nothing in the cited portion disclose the moving of the “display area” within said main screen. Lines 16-18 of page 19 disclose that the display area within the main screen is moved corresponds to the movement of the view frame 60, however fail to enable describe how this limitation is implemented. Conventionally, the movement of the view frame cause a corresponding scrolling or moving of displayed “*data*” in the main screen, but not the “display area” itself, as claimed.

7. The 102(e) rejection: In response to the argument that The Eick reference is not prior art under 35 USC 102(e), applicant is referred to the statutory statement cited in paragraph 5 of the previous Office action. Applicant further fails to discuss the references applied against the claims, explaining how the claims avoid the references or distinguish from them. Although the

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claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Inquires

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communications or (703) 308-6606 for informal or draft communications. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huynh-Ba whose telephone number is (703) 305-9794. The examiner can normally be reached on Monday-Friday from 8.00AM to 4.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim, can be reached on (703) 305-3821.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Huynh-Ba
Primary Examiner
Art Unit 2773
2/12/99


BA HUYNH
PRIMARY EXAMINER